

U.S. Application Serial No 09/744,820
Our Ref: Welcker-1-PCT
June 24, 2003.

REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has objected to claim 22. Claim 22 has been canceled without prejudice. In addition claim 21 has also been canceled without prejudice because the elements of claim 21 are substantially described in amended claim 20.

The Examiner has rejected claims 20-24 as being unpatentable over Ogden in view of Gottlieb.

Claim 20 has been amended to overcome this rejection. In particular amended claim 20 includes an additional element in the following passage:

b) an insulator disposed over a central region of said strand adjacent to said further section;

This additional element was originally referenced in claim 12 now canceled and is also mentioned in the specification on

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page 7 lines 1 and 2.

The applicant believes that claim 20 now amended is patentable over the above cited references taken either singly or in combination.

In particular, Gottlieb discloses a shielded stranded cable, however this cable is not welded at its ends in a further section as described in claim 20.

Ogden discloses a stranded cable having welded ends 20 and 30, however Ogden does not disclose the use of insulation or an insulator.

The applicant believes that it would not be obvious to combine Ogden with Gottlieb because Ogden does not teach the welding of a shielded or insulated cable. In many cases, the welding of an insulated cable would result in a dissolution or melting of the insulation layer due to the heat of the weld.

In addition, the Examiner stated that there was no reason provided for coupling only one side of the flat contact piece to

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the further section of claim 20. With the present invention, only one side of the further section is coupled to the flat contact piece so that a sonotrode can be used to weld the further section to the narrower region of the contact piece as shown by way of example in FIG. 5. In *Ogden*, both sides of the stranded section are welded closed such that both sides must be contacted by a welding device to form a solid piece. Because with *Ogden* both sides must be welded, the applicant believes that more energy is would be required to weld *Ogden* than that of the invention in claim 20. If this design of *Ogden* was applied to the present invention as in claim 20 then the insulation of claim 20 could be destroyed.

Gottlieb also does not relate to the present invention as claimed in claim 20 because *Gottlieb* discloses using a bolt 12 to couple the stranded section to a battery terminal. Claim 20 paragraph c) states that: "said further section is welded to said contact piece."

This distinction is important because the welding of the further section to the contact piece reduces the problems associated with a screw loosening on a contact piece when

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associated with a non-welded set of wires which are screwed onto a contact piece as set forth in *Gottlieb*. These problems including having a screw loosen on the contact piece, are set forth in the specification on pages 1 last paragraph through page 3 line 24. Therefore, the applicant believes that it would be improper to combine *Ogden* with *Gottlieb* because the applicant believes that *Gottlieb* cannot provide the same solution to the problem recited above and would therefore not be in the same field as in *Ogden*. In addition, the applicant believes that there is no suggestion to combine the references of *Ogden* and *Gottlieb*, so therefore the remaining claims should be allowed. See In Re Jones, 958 F.2d 347, 21 U.S.P.Q. 2d 1941 (Fed Cir. 1992), See Also In Re Fine, 837 F.2d 1596, 1598-99 (Fed Cir. 1988). (Court Stated: "Before the PTO may combine the disclosures of two or more prior art references in order to establish prima facie obviousness, there must be some suggestion for doing so...")

Furthermore, claim 20 of the present invention differs from *Gottlieb* in that claim 20 does not recite the use of a hole through a stranded section to couple the stranded section to a contact piece. In *Gottlieb*, there is a hole through this

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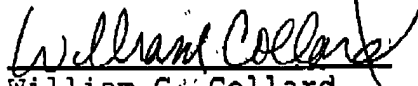
stranded section which would further weaken the stranded section.

Claims 21 and 22 has been canceled without prejudice. Claim 20 has been amended. New claims 28 and 29 have been added. The applicant believes that because there are only three (3) independent claims on file, that no additional fee is necessary. However the applicant hereby authorizes the commissioner to charge Collard & Roe, P.C.'s deposit account 03-2468 any additionally required fee.

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In conclusion, the applicant believes that the remaining claims are written to overcome the rejections of the Examiner. Accordingly, the applicant respectfully requests early allowance of the remaining claims.

Respectfully submitted,


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Enclosure: Two Month Petition

I hereby certify that this correspondence is being faxed to Examiner Prasad at fax no (703) 872-9318 on June 24, 2003


William Collard

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